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8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
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11 ENERGY MANAGEMENT  
12 COLLABORATIVE, LLC, a  
13 Minnesota limited liability company,  
14 Plaintiff,

15 v.

16 DARWIN TECH LLC, a California  
17 limited liability company,  
18 JASON WHITNEY, an individual, and  
19 DOES 1-100, as follows,  
20 Defendants.

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22 DARWIN TECH LLC, a California  
23 limited liability company,

24 Counterclaimant,

25 v.

26 ENERGY MANAGEMENT  
27 COLLABORATIVE, LLC, a  
28 Minnesota limited liability company,  
Counterdefendant.

Case No. 8:22-cv-00952-JWH-ADS

**JUDGMENT**

Pursuant to the Minute Order [ECF No. 117] entered on or about July 18, 2025, and in accordance with Rules 41(b) and 58 of the Federal Rules of Civil Procedure,

It is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. This Court possesses subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1332.

2. The operative pleadings are as follows:

a. the Complaint [ECF No. 1] of Plaintiff and

Counterdefendant Energy Management Collaborative, LLC; and

b. the First Amended Counterclaim [ECF No. 55] of Defendant and Counterclaimant Darwin Tech LLC.

3. The Complaint and Amended Counterclaim are **DISMISSED without prejudice.**

4. To the extent that any party requests any other form of relief, such request is **DENIED.**

**IT IS SO ORDERED.**

Dated: July 23, 2025

  
John W. Holcomb  
UNITED STATES DISTRICT JUDGE